



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 11, 2019

Honorable Andrew M. Edison
United States District Judge
601 Rosenberg, 7th Floor
Galveston, TX 77550

Re: *Aaron Booth v. Galveston County, et al.*, 3:18-cv-00104.

Dear Judge Edison:

The District Court Judges write to request a telephone conference regarding a stay of the injunction for the reasons set forth below.

On September 11, 2019, Judge Hanks adopted the Memorandum and Recommendation of United States Magistrate Judge Andrew Edison. Dkt. 267. This Order did not specify the date the preliminary injunction goes into effect. The District Court Judges previously requested any effective date be delayed 90 days to allow for the orderly implementation of these new procedures and to not allow such a grace period would risk plunging the current system into chaos. Dkt. 273 at p.13. The District Court Judges now ask this Court to stay the injunction for 30 days in order to provide any indigent felony arrestee with counsel at initial hearings. Appointed attorneys must be given notice and time to clear their dockets and Galveston County must be given time to implement new procedures. A 30-day stay is not unprecedented, as Judge Godbey in *Daves v. Dallas County* gave Defendants 30 days to comply with his injunction. 341 F. Supp. 3d 688, 698 (N.D. Tex. 2018) ("The relief shall apply to the class the Court certified in a separate order and shall take effect within thirty (30) days").

The parties have conferred about the requested relief and Plaintiff agreed to allow Defendants until Monday, September 16, to put a compliance plan in place, however Defendants believe they need additional time for notification and implementation.

Respectfully submitted.

/s/ Adam Arthur Biggs
Assistant Attorney General